

DOCKET NO: 247103US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
MASAKI OKUYAMA, ET AL. : EXAMINER: VENKAT, JYOTHSNA A.
SERIAL NO: 10/748,148 :
FILED: DECEMBER 31, 2003 : GROUP ART UNIT: 1615
FOR: COSMETIC COMPOSITION FOR :
EYELASHES

STATEMENT OF SUBSTANCE OF INTERVIEW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Further to the Amendment filed on August 18, 2008, enclosed is an Authorized Examiner's Amendment to the Claims sent as an attachment to an electronic communication from the undersigned Representative to Examiner Venkat on September 24, 2008, and a written statement as to the substance of the discussion held between the undersigned Representative and Examiner Venkat on September 24, 2008, in accordance with 37 C.F.R. § 1.133(b) and MPEP § 713.04.

Authorized Examiner's Amendment to the Claims begin on page 2 of this statement.

Remarks begin on page 7 of this statement.

AUTHORIZED EXAMINER'S AMENDMENT TO THE CLAIMS

Please cancel claims 42 and 43 as follows:

Claims 1-10 (Cancelled).

Claim 11 (Previously Presented) A cosmetic composition for eyelashes comprising: polypropylene fibers having a thickness of from 0.1 denier to 12 denier, and a length of from 0.1 mm to 3 mm, wherein a surface of the polypropylene fibers is treated with silica; and an oil soluble resin.

Claim 12 (Cancelled).

Claim 13 (Previously Presented) The cosmetic composition for eyelashes according to claim 11, wherein the polypropylene fibers have a length of from 0.5 mm to 3 mm.

Claim 14 (Previously Presented) The cosmetic composition for eyelashes according to claim 11, wherein the polypropylene fibers are present in an amount ranging from 0.1 wt. % to 10 wt. %.

Claim 15 (Previously Presented) The cosmetic composition for eyelashes according to claim 11, wherein the polypropylene fibers are present in an amount ranging from 0.5 wt. % to 5 wt. %.

Claim 16-18 (Cancelled).

Claim 19 (Previously Presented) The cosmetic composition for eyelashes according to claim 11, wherein the oil soluble resin is present in an amount ranging from 0.5 wt. % to 20 wt. %.

Claim 20 (Previously Presented) The cosmetic composition for eyelashes according to claim 11, wherein the oil soluble resin is present in an amount ranging from 1 wt. % to 15 wt. %.

Claim 21 (Cancelled).

Claim 22 (Previously Presented) The cosmetic composition for eyelashes according to claim 11, wherein the oil soluble resin is one or more oil soluble resins selected from the group consisting of candelilla resin obtained from fractionation and having a softening point of from 35°C to 55°C, pentaerythrityl rosinate, trimethylsiloxysilicate, decamethylcyclopentasiloxane, polyisobutylene and polyvinylisobutyl ether.

Claim 23 (Previously Presented) The cosmetic composition for eyelashes according to claim 11, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 35°C to 55°C.

Claim 24 (Cancelled).

Claim 25 (Previously Presented) The cosmetic composition for eyelashes according to claim 11, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 40°C to 48°C.

Claim 26 (Previously Presented) The cosmetic composition for eyelashes according to claim 11, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 40°C to 41°C.

Claim 27 (Previously Presented) The cosmetic composition for eyelashes according to claim 11, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 47°C to 48°C.

Claims 28-30 (Cancelled).

Claim 31 (Previously Presented) A cosmetic composition for eyelashes comprising:
0.5 wt. % to 5 wt. % of polypropylene fibers having a thickness of from 0.1 denier to 12 denier, and a length of from 0.1 mm to 3 mm; and
1 wt. % to 15 wt. % of an oil soluble resin, wherein the oil soluble resin is one or more oil soluble resins selected from the group consisting of candelilla resin obtained from fractionation and having a softening point of from 35°C to 55°C, pentaerythrityl rosinat, trimethylsiloxyl silicate, decamethylcyclopentasiloxane, polyisobutylene and polyvinylisobutyl ether.

Claim 32 (Previously Presented) The cosmetic composition for eyelashes according to claim 31, wherein the polypropylene fibers have a length of from 0.5 mm to 3 mm.

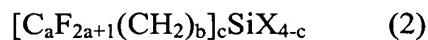
Claim 33 (Previously Presented) The cosmetic composition for eyelashes according to claim 31, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 35°C to 55°C.

Claim 34 (Previously Presented) The cosmetic composition for eyelashes according to claim 31, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 40°C to 48°C.

Claim 35 (Previously Presented) The cosmetic composition for eyelashes according to claim 31, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 40°C to 41°C.

Claim 36 (Previously Presented) The cosmetic composition for eyelashes according to claim 31, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 47°C to 48°C.

Claim 37 (Previously Presented) A cosmetic composition for eyelashes comprising:
0.5 wt. % to 5 wt. % of polypropylene fibers having a thickness of from 0.1 denier to 12 denier, and a length of from 0.1 mm to 3 mm, wherein a surface of the polypropylene fibers is treated with 5 wt. % to 10 wt. % of a perfluoroalkylsilane compound according to the following general formula (2):



wherein a is 4, b is 2, c is 1 and X is $-OCH_2CH_3$; and

1 wt. % to 15 wt. % of an oil soluble resin, wherein the oil soluble resin is a candelilla resin obtained from fractionation and having a softening point of from 35°C to 55°C.

Claim 38 (Previously Presented) The cosmetic composition for eyelashes according to claim 37, wherein the polypropylene fibers have a length of from 0.5 mm to 3 mm.

Claim 39 (Previously Presented) The cosmetic composition for eyelashes according to claim 37, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 40°C to 48°C.

Claim 40 (Previously Presented) The cosmetic composition for eyelashes according to claim 37, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 40°C to 41°C.

Claim 41 (Previously Presented) The cosmetic composition for eyelashes according to claim 37, wherein the oil soluble resin comprises a candelilla resin obtained from fractionation and having a softening point of from 47°C to 48°C.

Claim 42 (Cancelled).

Claim 43 (Cancelled).


REMARKS

The content of the electronic communication sent to Examiner Venkat on September 24, 2008, and the discussion held between the undersigned Representative and Examiner Venkat on September 24, 2008, is believed to be reflected in the Authorized Examiner's Amendment to the Claims set forth herein.

In conclusion, Applicants submit that the present application remains in condition for allowance, as the claimed invention is neither disclosed nor suggested by the cited references.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

A handwritten signature in black ink, appearing to read "David P. Stitzel", is written over a horizontal line.

David P. Stitzel
Attorney of Record
Registration No. 44,360

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)